

AGENDA MEMO

CITY COUNCIL MEETING DATE: **APRIL 4, 2007**
DEPARTMENT: **PLANNING AND DEVELOPMENT**
ITEM DESCRIPTION: **ZON-19070 - APPLICANT/OWNER: ALL STAR**
AUTOMOTIVE, INC.

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 21, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (3-3 vote on a motion for approval) ended in a tie NO RECOMMENDATION. Staff recommends APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.

Public Works

3. Construct all incomplete half-street improvements on Bonanza Road and remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Bonanza Road. Driveways shall also receive approval from the Nevada Department of Transportation.
5. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
6. Landscape and maintain all unimproved right-of-way on Bonanza Road adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

7. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Bonanza Road public right-of-way adjacent to this site prior to the issuance of any permits.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer. We note that a portions of this site are within FEMA Flood zones.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning to a C-M (Commercial/Industrial) District on 1.09 acres at 2029, 2039, and 2041 West Bonanza Road. The property currently consists of developed land that is zoned C-2 (General Commercial). The applicant indicates this action will allow for uses that are currently not permitted in a C-2 (General Commercial) district.

The proposed rezoning to the C-M (Commercial/Industrial) zoning district is consistent with the existing LI/R (Light Industrial/Research) Master Plan designation. It is also consistent with the existing auto service and equipment rental uses in the vicinity. Approval is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/08/71	The Board of City Commissioners approved a Rezoning (Z-0074-71) from R-3 (Medium Density Residential) to C-2 (General Commercial) and C-M (Commercial/Industrial) on the subject property. The Planning Commission and staff recommended approval.
02/24/76	The Planning Commission approved a request for a Plot Plan Review (parent case Z-0074-71) for a Recreational Vehicle Sales Facility on a portion of the subject site. Staff recommended approval.
03/24/92	The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0046-92) for a Used Car Lot in a C-2 (General Commercial) zoning district. Staff recommended approval.
07/07/04	The City Council denied an Appeal (DIR-4573) of a Planning and Development Director's decision per Title 19.00.070.F to deny the acceptance of a application for a Special Use Permit for an Off-Premise Advertising (Billboard) Sign for failure to comply with Title 19.14.100. Staff had recommended denial.
05/17/06	The City Council approved a General Plan Amendment (GPA-9219) expanding the Redevelopment Area. This property was designated as LI/R (Light Industrial/Research) as part of this General Plan Amendment. The Planning Commission and staff recommended approval.
02/22/07	The Planning Commission (3-3 vote on a motion for approval) ended in a tie NO RECOMMENDATION (PC Agenda Item #24/rts).
<i>Related Building Permits/Business Licenses</i>	
12/01/90	A business license for a S09 (Sign Painting Establishment - any person who engages in the business of painting signs but who is not required to have a State Contractor's license) category license was processed in by the Department of Finance and Business Services. This license (S09-00007) was originally issued by Business Services on 12/19/90 and was re-issued due to a change of location on 08/23/94 with no apparent Planning and Development review.

08/16/94	A business license for an A08 (Appliance Sales and Service- the sales of new appliances ie; refrigerators, ovens, etc. The service and repair of customer's appliances) category license was processed in by the Department of Finance and Business Services. This license (A08-01442) was originally issued by Business Services on 08/18/94 and was re-issued due to a change of location on 09/10/96 with no apparent Planning and Development review.
<i>Pre-Application Meeting</i>	
12/27/06	A pre-application meeting was held and elements of this application were discussed. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.09

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive Commercial Center	LI/R (Light Industrial / Research)	C-2 (General Commercial)
North	Single Family Residential	MXU (Downtown – Mixed Use)	R-E (Residence Estates)
South	Interstate ROW (I-95)	Interstate ROW (I-95)	Interstate ROW (I-95)
East	Truck Rental	LI/R (Light Industrial / Research)	C-2 (General Commercial)
West	Building & Landscaping Material / Lumber Yard	LI/R (Light Industrial / Research)	C-M (Commercial/ Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	X		Y
West Las Vegas Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The subject property is designated as LI/R (Light Industrial/Research) under the Southeast Sector Plan of the General Plan. This category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. The existing buildings are currently used for appliance sales and service and sign painting which are in compliance with the General Plan. The proposed rezoning to the C-M (Commercial/Industrial) zoning district will allow a variety of uses not currently allowed under the C-2 (General Commercial) zoning district.

The site is within the North Las Vegas Airport Overlay Map portion of the Airport Overlay District. This is a developed site and is in compliance with Title 19.06.080 (B) which allows a "structure to a height up to thirty five feet above the surface of the land on any parcel" without a height limitation review or prohibition.

The site encompasses two parcels with existing buildings built at the lot lines. Additionally, should the parcels in the future become separate sites the site will placed out of conformance with development standards for the proposed C-M (Commercial/Industrial) zoning district. For this reason a condition has been added that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating the parcels be recorded.

The proposed rezoning to the C-M (Commercial/Industrial) zoning district is consistent with the existing LI/R (Light Industrial/Research) Master Plan designation. It would also make it consistent with surrounding land uses, which consist of building and landscape supplies and equipment rental uses to the west and east of the property. For these reasons staff is recommending approval of this item.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

- 1. "The proposal conforms to the General Plan."**

The proposed rezoning would bring the zoning at this site into conformance with the LI/R (Light Industrial/Research) designation as listed under the Southeast Sector Plan of the General Plan. The Light Industrial/Research category allows a variety of commercial and light industrial or research uses. The site's existing buildings can accommodate the range of uses and is in compliance with the General Plan.

2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

Currently, there is a large residential lot north of the subject site and interstate right-of-way to the south of the property which should not be affected by the possibility of rezoning. The proposed rezoning would be compatible with the building and landscape supplies and equipment rental uses to the west and east of the property.

3. **“Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

Growth and development factors indicate a need for light industrial activities to locate in this area. Given the existing General Plan designation of LI/R (Light Industrial/Research) on the subject site, the rezoning to the C-M (Commercial/Industrial) zoning district is appropriate for the area.

4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

The site will receive access from West Bonanza Road, which is adequate in size to meet the requirements of the proposed C-M (Commercial/Industrial) zoning district.

PLANNING COMMISSION ACTION

There were two speakers in opposition. The applicant agreed to all conditions. Public Words request that condition #5 be deleted.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 203 by Planning Department

APPROVALS 0

PROTESTS 0